

ILLINOIS POLLUTION CONTROL BOARD
September 2, 1982

RECEIVED

IL Environmental Protection Agency

SEP 23 1982

VILLAGE OF SAUGET,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Division of Water Pollution Control
Field Operations Section — Reg. VI

PCB 79-87

ORDER OF THE BOARD (by J. Anderson):


This NPDES permit appeal was filed April 17, 1979. Certain challenged conditions were stayed by the Board's Order of June 22, 1979. On November 20, 1980 the Board ordered that a hearing be held within 60 days or the case would be "subject to dismissal", no activity having been noted since July, 1979.

On July 26, 1982 the Board received a letter from the Hearing Officer, requesting that the Board order hearing held "forthwith". He noted receipt of a letter from Petitioner's attorney suggesting that settlement discussions "be continued until some time in the future".

The Board finds this pattern of delay absolutely unacceptable. If no hearing is scheduled within 15 and held within 45 days of the date of this Order, this case will be dismissed with prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 2nd day of September, 1982 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board

US EPA RECORDS CENTER REGION 5



412194

NH/NM

STATE OF ILLINOIS

COUNTY OF ST. CLAIR

SS.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED

IL Environmental Protection Agency

FEB -3 1983

Division of Water Pollution Control
Field Operations Section — Reg. VI

THE VILLAGE OF SAUGET
St. Clair County, Illinois,
and Illinois municipal corporation,
and the CITY OF EAST ST. LOUIS,
St. Clair County, Illinois,
and Illinois municipal corporation,
Petitioner,

v.

PCB 81-147

ENVIRONMENTAL PROTECTION AGENCY,
Respondent.

NOTICE

TO: Christian L. Moffett, Clerk
Pollution Control Board
309 W. Washington
Chicago, Illinois 60606

Mr. Richard J. Kissel
Martin, Craig, Chester & Sonnenschein
115 South LaSalle Street
Chicago, Illinois 60606

Mr. Samuel F. Ross, Jr.
Apoian, Ross & Funk
110 North Main Street
East St. Louis, Illinois

Mr. Harold B. Baker, Jr.
Baker & Scrivner
56 South 65th Street
Belleville, Illinois 62223

PLEASE TAKE NOTICE that I have today filed in the Office of the Clerk
of the Pollution Control Board, the Amended Recommendation of the
Illinois Environmental Protection Agency, a copy of which is herewith
served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By:

Stephen C. Ewart
Technical Advisor
Illinois Environmental
Protection Agency

DATED:

2200 Churchill Road
Springfield, Illinois 62706
217/782-5544

STATE OF ILLINOIS)
) SS.
COUNTY OF ST. CLAIR)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE VILLAGE OF SAUGET,)
 St. Clair County, Illinois,)
 and Illinois municipal corporation,)
and THE CITY OF EAST ST. LOUIS,)
 St. Clair County, Illinois,)
 and Illinois municipal corporation,)
 Petitioners,)

 v.) PCB 81-147
))
ENVIRONMENTAL PROTECTION AGENCY,)
 Respondent.)

AMENDED RECOMMENDATION

INTRODUCTION

1. Petitioners, the Village of Sauget (Sauget) and the City of East St. Louis (East St. Louis) filed a petition for variance which was received by the Illinois Environmental Protection Agency (Agency) on September 30, 1981. Petitioners request relief from 35 Ill. Adm. Code 306.102(c)(1), formerly Chapter 3, Rule 602(c)(1) of Chapter 3 as it pertains to "first flush" storm flow and from 35 Ill. Adm. Code 306.102(c)(2) formerly Rule 602(c)(2) of Chapter 3 and its requirements for not less than ten times average flow as it pertains to areas tributary to the American Bottoms Regional Wastewater Treatment Facility.

2. In a concurrent proceeding the Petitioners have proposed a site specific regulatory change to provide permanent relief from 35 Ill. Adm. Code 306.102(c)(1) and 306.102(c)(2) formerly Rules 602(c)(1) and 602(c)(2) of Chapter 3 in regulatory proceeding R81-12.

3. On October 27, 1981 the Agency recommended that this variance petition be denied. The Agency recommendation for denial of this variance was based mainly upon two premises. (1) Petitioners did not fully address the environmental impact, mainly concerning heavy metals and (2) Petitioners had not showed an arbitrary or unreasonable hardship. Based upon reviewing the Economic Impact Study (ECIS) and the transcript of the June 2, 1982 hearing the Agency offers the following amendments and comments.

4. The ECIS and the transcript more completely address the environmental question including that of heavy metals. These documents concluded that iron and fluoride are the only two pollutants that could cause effluent or water quality violations. However, very little was said about fluoride since no samples were available. The study did state that the increase in iron would be small (0.16 mg/l) which would not cause toxic conditions at least according to some studies. The ECIS and the transcript further discussed the effects of bacterial contributions and deoxygenating wastes and concluded that any affects would be minimal. While the Agency will not dispute these findings of the ECIS in this Proceeding, it does note that Petitioners could have provided more complete information for the Board by conducting actual water quality and bottom sediment sampling for the pollutants in question (dissolved oxygen, suspended solids, iron, fluoride, organics, and other metals associated with the industrial discharges). However, the Agency believes that the timing of future bottom sediment sampling may be better addressed by the Board pursuant to the R81-12 regulatory proceeding. For the purposes of this variance proceeding, the information provided in the ECIS is sufficient to show that no significant environmental harm will occur during the term of a variance.

Regarding Petitioner's arbitrary and unreasonable hardship the ECIS and the transcript detail East St. Louis' financial situation which shows it to be in a depressed state and would probably result in a hardship if required to raise the money for CSO facilities especially if required to so do prior to resolution of the regulatory proceeding which the Agency now supports. Furthermore, since Petitioners are moving adequately through the regulatory proceedings the Board's concern over Petitioners' filing the regulation change request in order to "bootstrap their way to a favorable variance decision" no longer is a factor. Currently, the Agency believes that if this variance were denied it would either place a burdensome financial hardship on Petitioners or subject Petitioners to enforcement measures by the Agency. When weighing this hardship against the environmental impact the Agency amends its former recommendation to grant this variance petition as requested by Petitioners.

The Agency reserves the right to change this Amended Recommendation at any time prior to the close of the record in this matter.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

Stephen C. Ewart
Technical Advisor
Illinois Environmental
Protection Agency

Dated: _____

2200 Churchill Road
Springfield, Illinois 62706
217/782-5544

SCE:ct/6246C,sp

STATE OF ILLINOIS
COUNTY OF ST. CLAIR

)
)
)
SS.

PROOF OF SERVICE

I, the undersigned, being duly sworn on oath, deposes and state that I have served the Agency's Amended Recommendation upon the person to whom said document is directed, by placing a copy of same in an envelope addressed to:

Mr. Richard J. Kissel
Martin, Craig, Chester & Sonnenschein
115 South LaSalle Street
Chicago, Illinois 60606

Mr. Samuel F. Ross, Jr.
Apoian, Ross & Runk
110 North Main Street
East St. Louis, Illinois 62201

Mr. Harold B. Baker, Jr.
Baker & Scrivner
56 South 65th Street
Belleville, Illinois 62223

and mailing same with sufficient postage affixed, certified mail, return receipt requested; said envelope being deposited in the United States mail, Springfield, Illinois, on _____, 19__.

SUBSCRIBED AND SWORN TO BEFORE ME

this _____ day of _____, 19__.

Notary Public

SE:ct/6246C,sp

217/782-2027

Sauget - SSES
C171448-03
Step 1 - Amendment

APR 29 1982

RECEIVED

IL Environmental Protection Agency

MAY - 4 1982

Mr. Paul Sauget, President
Village of Sauget
2897 Monsanto Avenue
Sauget, Illinois 62206

Division of Water Pollution Control
Field Operations Section — Reg. VI

Dear Mr. Sauget:

In our review of your application for a Step 1 grant amendment to perform a sewer survey on the Sauget system, several issues have surfaced which are of concern to this Agency. These relate principally to the scope and cost of the proposed work, and are summarized below:

1. You have budgeted television inspection of 25,000 lineal feet of sewer out of a total of 28,000 lineal feet, which amounts to 89% of the system. Considering that preliminary survey steps are intended to minimize internal cleaning and inspection, we consider this to be excessive. We normally consider a budget for internal inspection to be reasonable when it covers 20% to 30% of the system, and even then, actual inspection work must be clearly justified by prior survey steps.
2. The estimated cost for cleaning and televising the Sauget sewers is given as \$16.71 per lineal foot. This is far above costs normally given for this type of work. We wish to see the basis for this estimate.
3. The combined interim and final report costs for this limited survey on roughly 5 miles of sewer are in excess of \$30,000. This seems extremely high in comparison to survey reports for systems of comparable size.
4. A question has arisen as to what portion of the Sauget system is owned by the Village, and what portion is owned by industry. Please document that all survey work funded by a grant amendment will be restricted to public sewers.

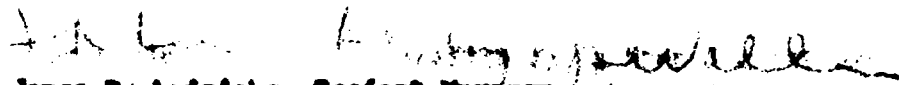
We should point out once again that based on our knowledge of the Sauget system, we do not anticipate that a survey will result in a rehabilitation project that will be eligible for funding in the foreseeable future. As a matter of policy, infiltration/inflow is normally regarded to be non-excessive in combined sewers, and there is no evidence that this will not be the case in this instance. There may be legitimate needs for major sewer rehabilitation to restore the structural integrity of the system, but this receives very low priority for funding.

Page 2

Finally, you should be aware that we regard this study as a change in the Step 1 project scope. Current federal policy prohibits most Step 1 amendments that result in a change of scope, and this amendment request may very well not receive funding, even if certified by the state. However, we will pursue funding if the other issues are addressed to our satisfaction.

If you have questions, please contact me at the above number.

Sincerely,


James R. Leincke, Project Manager
Grant Administration Section
Division of Water Pollution Control

JRL:sf/3903c,6-7

cc: Village Clerk

Russell and Assoc., Inc.

File

Region

KEG 4

SAUGET

SANITARY DEVELOPMENT & RESEARCH ASSOCIATION

2897 MONSANTO AVENUE

SAUGET, ILLINOIS 62206

RECEIVED

MAR 19 '80

March 18, 1980
I.E.P.
PERM
COMPL
UNIT

NPDES Unit
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, Il. 62706

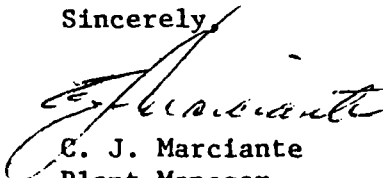
Gentlemen:

I had previously sent you a letter dated March 12, 1980 because of iron exceeding the specifications of permit IL0021407. The south clarifier being out of service was my best estimate at that time for the cause of the problem. Now it is apparent that the problem was in sampling. A new timer for the automatic sampler was installed on 2/15/80. This timer has been sticking both in the on and off position. When it sticks in the on position, the bottle fills to overflowing in about 45 minutes. Any solids settle to the bottom and the clearer water overflows the top of the bottle. This results in the concentration of contaminants in the sample which is analyzed. This apparently happened on March 9, 10, 11, and 13. Iron on the 13th had not been previously reported, it was 3.69 on the sample that was analyzed which exceeds the specification by 2.0.

If the timer sticks in the off position, no sample is taken. The results on the monthly report for March 12, 16 and 17 are analysis of grab samples, rather than composites. None of the analysis on these samples exceeded specifications.

We believe that we have corrected the problem and will give it much closer attention now that it is recognized as a problem.

Sincerely,


E. J. Marciante
Plant Manager

CJM/gp

cc: Il. E.P.A.
Collinsville, Il.

KEG 4

SAUGET

SANITARY DEVELOPMENT & RESEARCH ASSOCIATION

2897 MONSANTO AVENUE

SAUGET, ILLINOIS 62206

RECEIVED

IL Environmental Protection Agency

APR 21 1980

Division of Water Pollution Control
Field Operations Section — Reg. VI

NPDES Unit

Illinois Environmental Protection Agency

2200 Churchill Road

Springfield, Il. 62706

April 14, 1980

RECEIVED
APR 17 '80
I.E.P.A. DIV. W.P.C.
PERMIT SECTION
COMPLIANCE UNIT

Dear Sirs:

The following is the quarterly progress report for the period of December, 23, 1979 to March 22, 1980, as required by the Pollution Control Board order PCB 79088, Paragraph two.

For the period of 1/14/80 through 4/7/80, covering 61 analysis of effluent water for lead, only two values have exceeded 0.10 mg/l. One of these was 0.11 and the other was 0.15/

With respect to nickel, there is no significant change from earlier reports. Statistical analysis, using data we believe to be accurate, shows no significant correlation with the following:

- A. Suspended solids in the effluent water
- B. pH of the effluent water
- C. Nickel in influent water

We have no other leads at this time to investigate and believe at this time our process is not capable of consistently reducing the nickel to 1.0 mg/l or less. However, we will continue to give this problem our attention, and will initiate an investigation of any lead that appears promising.

On 4/7/80 we addressed to Mr. Michael Manzy, Director Illinois Environmental Protection Agency, a request for an extension of the variance. Our request is for specifications the Board is now considering as a proposed regulation which would allow for averaging of daily composite samples to determine compliance with Rule 408. Said proposed regulation would determine compliance with Rule 408 by use of a 24-hour composite averaged over a month period. Any individual 24 hour composite could not exceed two (2) times the effluent standard and no grab sample could exceed five (5) times the effluent standard.

Sincerely yours,

C. J. Marciante
C. J. Marciante
Plant Manager

cc: Collinsville Office EPA
R. Kissel
S. Smith
T.W. Dalton

AB
VM VM